

**PLANNING AND ZONING COMMISSION
MINUTES
GENERAL MEETING/PUBLIC HEARING
December 9, 2008**

Place: Auditorium
Town Hall

TIME: 8:00 P.M.

PLANNING & ZONING COMMISSION MEMBERS ATTENDING:

Conze, Grimes, Finke, Hutchison and Spain. Peter Bigelow arrived at approximately 9:15 p.m.

STAFF ATTENDING: Ginsberg, Keating

RECORDER: Syat

GENERAL MEETING

Chairman Conze read the following agenda item:

Discussion and deliberation only regarding the following application:

Proposed Amendment to the Darien Zoning Map and Zoning Regulations, Affordable Housing Application, Site Plan Application #262, Land Filling & Regrading Application #211, Amendment to the Town Plan of Conservation & Development, Christopher & Cynthia Hamer, 26 Oak Crest. Proposing to construct 10 residential condominium units (30% of which are proposed to be affordable housing under Section 8-30g of the Connecticut General Statutes) in two new buildings with associated parking, and to perform related site development activities. The applicant is requesting the establishment of a new HOD zoning district; an amendment to the zoning map rezoning the property to HOD; and corresponding changes to the Town Plan. The subject property is located on the southeast side of Oak Crest approximately 1,000 feet east of its intersection with Mansfield Avenue, and is shown on Assessor's Map #15 as Lot #101 and Parcels X-1 and X-2, in the R-1/2 Zone. *PUBLIC HEARING CLOSED ON 11/6/2008. DEADLINE TO DECIDE MATTER IS: 1/9/2009.*

Several Commission members had previously discussed their points of view regarding the application. Mr. Finke said that the applicant has not done anything to demonstrate that this project can or will be built. He said that the track record of the applicant has been a question raised before the Commission, and the issue is a valid concern. He said that the applicant had the opportunity to present information, yet none was submitted.

Mr. Spain agreed that the ability and intention and capacity of the applicant to carry out the project had been put into question, and it therefore became incumbent upon the applicant to demonstrate that the project would be built, if approved. He said that the neighbors raised several serious issues about the financial impracticality of implementation of the project, and nothing was offered to counter that concern. Mr. Spain said that the Environmental Protection Commission's concerns about storm water issues and their decision to deny the application should be adopted by the Planning and Zoning Commission that must find similarly that the flooding and drainage issues have not been adequately addressed. He said that the quality of storm water runoff is a concern of the Environmental Protection Commission, but not a primary concern of the Planning and Zoning Commission. He said that the applicant has never suggested that the density or intensity of development be reduced in order to address the storm water and traffic problems that have been

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raised. In contrast, the applicant has just added one more catch basin or underground detention structure to try to address the storm drainage issues that have been raised. He said that apparently the substrata shale type of soil conditions will mean that it would be highly unlikely for all the planned subsurface structures to work properly.

Mr. Spain said that the construction of the planned large storm water surface detention basin in this particular situation would be an inviting nuisance. He also found it important that the traffic consultant's comments about adding more traffic results in more dangerous conditions. Mr. Spain expressed concerns about the fire and emergency services access to and maneuverability on and around the site being very limited because the space is too tight. He said that even if the large circular traffic turnaround area was created and paved, it would not solve the access and maneuvering problems. He said that there are many reasons to turn down the project, and his opinion is that this is not a suitable location for multi-family housing, particularly a dense multi-family housing development. He noted that he had not been able to attend the November 6th hearing, but has watched and listened to the proceedings and has read the exhibits regarding the matter.

Mr. Conze said that this is not one of the sites that qualifies with the criteria established by the subcommittee for affordable housing. He said that Oak Crest has 18 houses and is approximately 1000 feet long. It was accepted as a Town street in 1931, but it is not a standard 26' wide street. It is only 22 feet wide. The Subdivision Regulations limit the length of a dead-end street, and limits on the number of lots on the dead-end street. Being at the end of this non-complying street is not an acceptable location for a dense housing project. He noted that the hydrant flow tests have never been performed, and that the construction of additional dwelling units and the addition of more traffic increases the risks to life and property. He said that the application should be denied.

Mr. Ginsberg said that the Commission has not heard from Mr. Bigelow, but he will contact Mr. Bigelow as the Draft Resolution is being prepared. Mr. Ginsberg said that the Draft Resolution will be distributed to the Commission Members prior to the January meeting so that the Commission members can take action on the application at that time.

Mr. Conze read the following agenda item:

Site Plan Application #251, Special Permit Application #246, Land Filling & Regrading Application #184, Lot line Adjustment #609, Hoyt Street Partners, LLC, Hoyt Street.
Request for extension of time.

Mr. Ginsberg said that the applicant has been working with the Connecticut Department of Transportation, and that progress has been very slow. Bruce Hill, attorney for the applicant, reiterated that it has been difficult to make progress with the DOT and the railroad officials, but they are working on a solution. The solution will likely require that the applicant return to the Planning and Zoning Commission to request amendments of the access into the project. Those requests for amendments will be submitted in 2009, but the applicant would like to receive an extension so that the existing permit does not become void during the discussions with DOT.

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The following motion was made: That the Planning and Zoning Commission grant a one-year extension for the time periods to start and conclude the project. The motion was made by Mr. Hutchison, seconded by Mrs. Grimes and unanimously approved.

Chairman Conze read the following agenda item:

Amendment of Coastal Site Plan Review #44, Jayne & Leslie Sutton, 227 Old Kings Highway South. Proposing to remove and rebuild the wall along Gorham's Pond within a regulated area.

Mr. Ginsberg explained that the applicant owns property adjacent to Gorham's Pond and has requested permission to reconstruct the stone wall that separates the pond from the lawn. The retaining wall has been tipping over into the pond and must be substantially repaired or rebuilt. He said that the applicant has obtained a permit from the Connecticut Department of Environmental Protection and another permit from the Darien Environmental Protection Commission. He said that the issue at the moment for the Commission is whether the project will need a Public Hearing. He said that the maintenance and repair of the wall is rebuilding what was previously permitted by the Commission.

Jay Condon, building contractor for the applicant, reiterated that the permit had been approved by the Connecticut Department of Environmental Protection, and that no work will take place in Gorham's Pond. He said that the excavator will be used to remove soil from the upland side of the retaining wall, and then the stone wall will be rebuilt by hand. The excavated material will be stored upland, and the wall will be taken down and rebuilt in 20 foot long sections. The repaired or replaced wall will have drains that allow water to flow through the wall so that it is less likely that the wall will fail in the future. He said that they will be reusing the existing stones to rebuild the wall. He also noted that his client has not yet decided whether the wall will be straight vertical or will be leaning inland, but in no case will the base of the wall extend into the pond beyond what is there today.

There being no further discussion, the following motion was made: That the Commission conclude that no Public Hearing is necessary for this Coastal Area Management repair project, and that the Commission approve the repair and replacement of the stone wall at 227 Old King's Highway South in accordance with the plans approved by the Connecticut Department of Environmental Protection (DEP) and the Darien Environmental Protection Commission (EPC) and the application materials submitted to the Planning and Zoning Commission. The motion was made by Mr. Spain, seconded by Mr. Hutchison and unanimously approved.

Approval of Minutes

November 6, 2008 Special Meeting

Mr. Hutchison discussed a requested modification to clarify statements that he had made. All the Commission members agreed to the modified language. The motion to adopt the revised minutes was made by Mr. Hutchison, seconded by Mr. Finke and all members voted in favor except for Mr. Spain who abstained because he had not attended the meeting of November 6, 2008.

November 18, 2008 Special Meeting/Public Hearing/General Meeting

The following motion was made: To adopt the minutes as presented. The motion was made by Mr. Hutchison, seconded by Mrs. Grimes and unanimously approved.

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November 20, 2008 Special Meeting/General Meeting

The following motion was made: That the Commission adopt the minutes as presented. The motion was made by Mrs. Grimes, seconded by Mr. Finke. All members voted in favor except for Mr. Spain who had not attended the meeting of November 20, 2008.

Chairman Conze opened the Public Hearing portion of the meeting at 8:00 p.m. He read the following agenda item:

PUBLIC HEARING

Amendment of Zoning Map #4-2008, Amendment of Zoning Regulations #8-2008, Site Plan Application #268, Special Permit Application #122-A, Land Filling & Regrading Application #219, lot line revision, Darien Housing Authority, Noroton Avenue, Elm Street, and West Avenue. Proposing to replace the existing single-family residences and apartment building which now comprise Allen-O'Neill Homes; to amend the DMR Zoning Regulations, and rezone the properties to DMR; abandon the existing Allen-O'Neill Drive; revise lot lines; construct 24 new apartment and townhouse structures containing 116 units of housing; construct one community building; install drainage facilities; and to perform related site development activities. The subject properties are on the east side of Noroton Avenue, approximately 450 feet north of its intersection with West Avenue, and is shown on Assessor's Map #21 as Lots #14, #15, #17, #21, #22, #68-99, #100-107 and are located in the R-1/3 Zone.

Attorney Bruce Hill said that they have prepared several responses to the information and concerns raised at previous meetings. Revised plans have been prepared, and he asked the Commission if they would prefer to hear about the revisions at this time, or would prefer to hear from the public first. Commission members decided it would be best to discuss the revisions, so that when the public comments they can comment about those revisions as well.

William Crosskey, Project Architect, reviewed the proposed revisions for the Commission members. They include the reduction of the density at the corner of West Avenue and Noroton Avenue by removing one of the proposed five buildings near that corner. They have also changed the types of buildings and number of units at the south end of Allen O'Neill Drive near the turnaround, and the total number of units on the project has been reduced from 116 to 111. Mr. Hill reiterated that the units closest to the intersection of West Avenue and Noroton Avenue are one-bedroom units to avoid the need for play yards in that vicinity.

Henry Ditman, Traffic Engineer, reviewed his letter of December 9, 2008. That letter summarizes the traffic counts that were conducted on September 8th at Elm Street and Fairfield Avenue and at Elm Street and Allen O'Neill Drive. He said that even during the peak hours of 4:00 p.m. – 6:00 p.m., the volume of traffic at those intersections was very, very low. Mr. Ditman also corrected the part of the traffic report that inadvertently indicated that the traffic counts had been conducted on October 10, 2008. He said that, in fact, those traffic counts were conducted on October 15th when school was in session. He said that text of the report was wrong when it referred to the October 10th date. The original count documents were submitted to verify that the traffic counts were actually conducted on October 15th.

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Mr. Hill said that a question raised at the previous hearing referred to different acreages of land. He said that the drainage report accurately depicts the drainage areas that flow to and through the site, and therefore those acreages do not match up with the land area owned by the Housing Authority. Bill Crosskey explained that the Housing Authority currently owns 10.5 acres of land, and that this calculation does not include the Town streets within the project. Part of the plan is to request that the Town's streets be abandoned and that the land area of the streets be conveyed to the Darien Housing Authority. New, private driveways will be constructed, and these modifications will result in the Housing Authority owning 12.1 acres of land. Mr. Hill said that even using the density calculation of the existing Housing Authority property (10.5 acres), the density would be less than 12 units per acre. He said that they have utilized 12 units per acre as the maximum allowable density because it is consistent with other regulations pertaining to the Housing Authority and the Town. He said that the actual density is closer to 10 units per acre. He also noted that the housing units would not be limited to senior citizens, but would have a variety of age groups. He also noted that the Housing Authority was technically not a part of the Town government, even though many people think it is. Another point that Mr. Hill made is that the proposed driveways throughout the development are not designed to meet the requirements of 'streets' as defined by the Darien Zoning Regulations. He said that this is not a subdivision, and that they are not creating individual parcels of land. They are just creating a driveway through a large parcel of property to provide access to the buildings proposed within the project. He said that the process of the Town abandoning the streets and conveying the land to the Housing Authority will require several steps, including a Section 8-24 "Mandatory Referral" report from the Planning and Zoning Commission.

Ozzie Torres, Professional Engineer said that he has had an opportunity to review the comments by Joseph Canas, the consulting engineer hired by the Town to advise the Planning and Zoning Commission about the storm drainage conditions. Mr. Torres said that part of the revisions now include the installation of a large curtain drain along the easterly property line. This curtain drain will collect subsurface water that might flow through the site and into the underground areas of houses on Fairfield Avenue. He said that the exfiltrators that would allow storm water to percolate into the ground will not be placed along the easterly property line. He said that he feels that they have adequately addressed the issues and concerns raised by Mr. Canas.

Joseph Canas, Professional Engineer from Tighe & Bond, explained that his firm was hired by the Town to review the drainage aspects of the project. He said that the requested information had been provided by Mr. Torres, and he confirmed that the models and data used were appropriate. He said that the mapping of the soil conditions indicates that this is Soil Type B, but it is really very close to, or in some cases, a C Soil Type. This changes the soil percolation rates and changes the calculations. He said that revised calculations need to account for C Soil Type for rain events up to a 50 year designed storm. He said that this project is located near the top of the watershed on West Avenue, and the site modifications, including the installation of storm water detention facilities, will result in no change or impact to the downstream properties.

In response to questions, Mr. Canas explained that this B Type Soil only extends about seven feet in depth, and below that it is a Type C Soil. He said that it would not hurt to more closely examine the ground water conditions. Mr. Spain noted that it is important to properly manage the storm water runoff and to account for the infiltration of water into the ground. He said that no one wants to create or worsen a ground water or surface water condition that adversely impacts houses on or off the site.

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Mr. Torres said that the curtain drain to be located along the easterly property line extends to a depth of approximately eight feet. This will have a perforated pipe in the bottom of the trench to collect ground water so that any potential problem that the neighbors to the east might experience will be reduced or eliminated. He said that the rechargers that allow water to percolate into the ground will be located on the higher portions of the property, away from the easterly boundary.

Mr. Hill said that one of the concerns raised is the impact on school enrollment. He submitted a memorandum dated November 26, 2008 from Richard Huot of the Board of Education. The memo indicates that the anticipated redevelopment of the Allen O'Neill project will have a fairly minimal impact on the school system.

In response to questions about the two units located along West Avenue, Mr. Crosskey said that the acreage of the land has been included in the calculations of land owned by the Housing Authority, but the two units have not been included in the proposed redevelopment of 111 units because those units are not really changing. He said that if the two existing units on West Avenue are included, the total number of housing would be 113 dwellings on 12.1 acres of land.

Mr. Hill said that there was some concern by neighbors on Fairfield Avenue that the proposed housing units would be too close to their existing single family dwellings. He said that the new housing units would be located at least 50 feet from the common boundary line, and that there would be a fence and screening adjacent to their property line. He also noted that the houses on Fairfield Avenue are 50 feet or more from the rear property line, and therefore the new housing units to be constructed by the Housing Authority would be 100 feet or more from the existing houses on Fairfield Avenue. This is considerably greater than the single family houses on Fairfield Avenue are spaced from each other. He said that the new housing units in the Allen O'Neill project will have less impact on the Fairfield Avenue residents than if those people just looked next door. He also noted that the two lots on West Avenue are technically two separate parcels or land, but they are owned by the Housing Authority.

Mr. Crosskey confirmed that the land of those two lots on West Avenue has been included in the total site area and on the coverage calculations. Mr. Hill noted that those properties are not part of the Zone Change Application, and he will make sure that a clearer Zoning chart and plan are submitted to the Commission.

Mike Galante of Frederick P. Clark Associates explained that he is a traffic consultant hired by the Town to review the traffic aspects of the project. He submitted his letter of December 9, 2008, which responds to the applicant's letter of November 26th. He said that the new information responds to the previously raised issues. He said that the sidewalk connection to the business area and the train station would be appropriate and having a sidewalk connection through the two lots on West Avenue might be fine, but he would recommend against having any kind of vehicular access from that portion of West Avenue directly into the Allen O'Neill project. This is because of the curve in the road and the limited sight lines. Mr. Galante said that within the project, they are proposing two driveways adjacent to Noroton Avenue. One driveway will lead into the project, and the other will be a one-way driveway leading out of the project to Noroton Avenue. He said that this one-way driveway system should have angled parking to reinforce the one-way traffic flow.

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This angled parking will slightly modify the number of parking spaces that can be achieved, but it is greatly preferred to the right angle parking that is proposed.

Kathi Rogers explained that she owns the property at 10 Elm Street, and she submitted a petition signed by approximately 300 persons from the neighborhood in opposition to the proposed redevelopment as currently proposed by the Housing Authority. She showed the Commission a grey scale model of her house on Elm Street and explained that it is one of the larger houses on Elm Street. Then she showed the Commission a series of white buildings proposed by the Housing Authority that would contain approximately 6,000 square feet of floor space. She said that the Housing Authority's idea of blending in with the neighborhood is to take these large, multi-family dwellings and paint them in two colors so that they would look like two different buildings. She said that in reality, they would look like one large building. She said that there would also be tandem parking for eight cars in between each of the buildings, and there would be four such buildings along Elm Street. She said it would be much better to reduce the car impact by having each dwelling unit contain garage space so that not as many vehicles would have to be parked outside. She said that in a private development like this, they could easily make a regulation or rule that requires that the garage spaces be used for the parking of vehicles rather than the storage of personal items.

Mr. Bigelow arrived at approximately 9:15 p.m.

Kathi Rogers said that it would be much better to have smaller, single family homes adjacent to the other single family homes in the surrounding neighborhood. She said that the issues of scale, density and parking have not been addressed by the applicant. She said that the project would not be compatible with the surrounding neighborhoods. Mrs. Rogers said that the memorial plaque to Mr. Fitch, who originally established the Fitch Home for Soldiers at this site, took 30 years to accomplish and it is now placed adjacent to the open parade ground that was left as a memorial to the veterans. She said that the Housing Authority design does not adequately account for these memorials. She said that the Zoning should not be changed for this proposed development, which would require too many waivers of the existing single-family neighborhood zoning district.

Peter Rogers of 4 Saint Nicholas Road said that he grew up on Noroton Avenue and is very familiar with the site. He said that he is very much opposed to the Housing Authority's proposal to redevelop the site in this way. He said that the application would rezone the property from an R-1/3 single family zone to a 1/12 multi-family zone. He said that the applicant has failed to demonstrate that they have obtained or could obtain permission from the Darien Sewer Commission to adequately treat waste water from the site. He also noted that the Health Department had raised many concerns about the quality and quantity of storm water runoff from the site. He said that the Fire Marshal has raised 11 concerns, and that the applicant has failed to verify the water capacity that would be necessary to fight fires in an emergency.

Mr. Rogers said that the Environmental Protection Commission has raised 21 concerns regarding the project and are very concerned about the intensity and density of the proposed redevelopment. He said that the Architectural Review Board has noted that the three buildings near the intersection of Noroton Avenue and West Avenue are too big and too tight and, therefore, should not be permitted at that density. He said that the Planning & Zoning Commission's Sub-Committee Report indicated that if this area is rezoned, it could allow 20 to 60 more units as a maximum

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potential redevelopment. He said that the Housing Authority has exceeded even the most generous estimate of the Sub-Committee, but they have failed to properly undertake a feasibility study and they have definitely failed to make a proper evaluation of the public infrastructure in the neighborhood. He said that there have been no impact studies performed on the drainage. He noted that all of the proposed drainage system must work perfectly in order to achieve the engineering design. He said that the Planning & Zoning Commission has previously discussed the likelihood that snow and ice will block catch basins that are proposed on the Oak Crest project. He showed photographs of leaves forming a dense mat covering over the existing catch basin on the site. He noted that these catch basins have not been cleaned in many years and therefore, the existing drain system does not work as it was originally designed. There is no assurance that the new drainage system would be maintained and, therefore, it is not likely that the new drainage system would work, as intended, to protect the neighbors. He said that the Commission members know that whenever the impervious surfaces exceed 20% of the lot area, there is likely to be an impact upon the water shed and downstream water courses and water bodies. He said that the applicant has failed to properly analyze any potential impact to the neighboring property values. He also raised concerns that the redevelopment of the 53 units would create an additional 100 bedrooms set aside for children (this excludes a bedroom in each unit for the head of household or the couple). He said that from his youth, he can remember at least 100 students who lived in the 53 units of the Allen O'Neill project. He reminded the Commission that the project will not produce any tax revenue for the Town.

Mr. Rogers said that the traffic and safety issues raised by the public and the consultants for the Town indicate that the Housing Authority has done little or no coordination with the Police Department, or Fire Marshal.

Mr. Rogers said that affordable housing units should be built in various parts of the Town and should not be concentrated in the Noroton Heights neighborhood. He said that single family structures should be built on the perimeter of the site so that they will be coordinated with the adjacent single family neighbors. Then, the more dense buildings containing apartments should be located within the center of the site away from the existing neighbors. He said that the construction of so many parking spaces for more cars is comparable to the number of parking spaces contained in the Stop & Shop parking lot. He said that a careful analysis of the building designs indicates that the footprint of each dwelling unit would be approximately 2,840 sq. ft. not the 2,100 sq. ft. as claimed. He said that the comparisons used by the applicant are only 18 of the 240 surrounding neighborhood houses and that they have picked the 18 largest houses. He said that this is not representative of the neighborhood in which the Allen O'Neill project is located. He said that the Commission should reject the application. In response to questions, Mr. Rogers said that on-street parking associated with the Allen O'Neill project already occurs on a regular basis on Elm Street. He noted that Elm Street is only 22 ft. wide and when a car is parked on one side of the street, two cars cannot pass on the remaining portion of the street. He said that on-street parking very rarely occurs on Noroton Avenue. He said that somehow the applicant has used a figure of 2.24 cars per dwelling unit. He said that there are too many households and too much parking area being created and that the neighborhood cannot accommodate this much redevelopment.

Carla Tankoos at 10 Allen O'Neill Drive referred to an article about the renovation and rebuilding of Hales Court in Westport. She said that Allen O'Neill has been a neighborhood for many years and she is concerned about the changes that will happen because it will no longer be a neighborhood

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type of situation. She said that they would no longer be private houses, but instead, people would share common hallways in apartment buildings. She said that she is told that the mailboxes would be located in the Community Building, but the Community Room would not be open for use by the residents. She said that the proposed project would have too many trees being cut down. She suggested that the green space be spread out, for more of the residents to enjoy.

Catherine Beckmann of 237 Noroton Avenue said that the Commission needs to consider pedestrian and bicycle access and safety throughout the area. She said that less parking and less units would be better. She suggested that a detailed master plan of the Noroton Heights neighborhood be prepared.

Jeffrey Rogers of 4 St. Nicholas Avenue said that he grew up on Noroton Avenue and is very familiar with the site. He explained that he has a degree in architecture and noted that many housing projects have failed because they lack traditional qualities of neighborhoods. He said that access to transportation facilities and nice, common open space areas are important. He also mentioned that having an elementary school within 500 feet and having a playground close by are very important. He said that the housing project should have a diversity of housing styles and sizes and that the Community Building should be well used as a Senior Center or other facility. He suggested making some of the housing units exclusively for elderly persons. He said that the Housing Authority needs to create a neighborhood, not just buildings. He emphasized that the redevelopment needs to harmonize with the existing neighborhood that surrounds it so that this project will be a feather in everyone's cap rather than a black eye. He suggested creating a playground that is surrounded by homes.

Alan MacDonald of 43 Hilton Street said that the traffic counts performed in the last week are not very helpful because most people don't get home between 4:00 and 6:00 P.M. so the Traffic Study is useless. He said that many people have worked very hard on this plan, but it fails to incorporate some of the issues raised in the Town Plan of Development such as maintaining the small Town character and creating affordable housing units in downtown and Noroton Heights and other areas. He said that redevelopment of Allen O'Neill should be similar to projects throughout the Town rather than an overly dense project.

Laura Giobbi of 2 Kelsey Street said that she and many people in the audience agree with the opposition to the application because the project does not fit in with the neighborhood and it will have negative impacts on the neighborhood. She said that the Commission should deny the proposal and that the Housing Authority should revise the Plan to fit with the neighborhood.

Chris Rowland of 136 West Avenue said that he is a member of Save Darien Wetlands (SDW) and asked for a continuation to review the revised plans and Drainage Proposal. He said that there is an extreme drainage problem in Town and that this redevelopment and intensification of use could make that drainage problem worse.

Jeffrey Wyant of West Elm Street said that many people are in favor of affordable housing, but this is the wrong project in the wrong place. He said that the Housing Authority and the Town must do the project right and make sure that the architecture and the community of dwelling units being created have the appropriate density. He said there is a difference between green space and the greener energy efficient movement. He said that this design appears to be catering to cars instead of

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putting people first. He questioned who the Town wants to have live in this location and what the project should look like and be like.

Ted Sanborn of 17 West Elm Street said that there is already a lot of traffic in the neighborhood and 110 plus or minus more drivers will make it worse. He said that problems of flooding have been the result of every previous development that has occurred. Adding further development and a further burden on the neighborhood is not appropriate. He said that the density should be kept the way it is rather than making it substantially different from the rest of the neighborhood.

Anthony Cone of 248 Noroton Avenue said that he moved to Darien approximately three months ago and said that it is clear that the problems regarding traffic and flooding and architecture and density and parking have not been adequately addressed. He said that it is also clear that the community is not comfortable with the application as currently submitted and the Commission should deny the current proposal.

Fred Schetelich of 12 Elm Street said that this project is not logical and this is not the right thing to do. He said the application should be denied.

Mr. Ginsberg said that due to the late hour, the Commission should consider continuing the public hearing until a later date, but noted that there are no additional meetings scheduled for December. The next available date to continue the hearing would be on January 13, 2009. This would require an extension from the applicant. Attorney Hill represented the applicant, and said that they will grant an extension to continue the hearing on January 13th.

Mr. Conze said that, in response to the issues raised, the applicant should seriously look at reducing the scale and density of the proposed development and locate the most dense portions of development closest to the center of the project and therefore, decrease the effect on the neighbors. Mr. Spain said that the impact on the school system should be more closely examined because allowing more units with more bedrooms will potentially impact the number of school children. He said that the density and transition of units from single family surrounding neighborhoods into the multi-family housing project should be more closely examined. He said that another issue that has not been discussed, but should be addressed, includes the relocation of existing residents from the project into the new units. He also said that the applicant should comment on the scale models presented by the neighbors. Mr. Hutchison said that he was concerned about the conversion of the public streets into private driveways and, therefore, adding acreage to a development so that the calculations look better. Mr. Hill said that the process of abandoning the street and conveying the land to the Housing Authority will require approval from the Selectmen and RTM. He said that the Housing Authority has many issues to consider as it redevelops the property and he will examine the issues raised by the neighbors and the Commission and be prepared with responses at the continuation. Mr. Conze thanked everyone for their input.

The following motion was made: That with the extension granted by the applicant, the Planning & Zoning Commission will continue the public hearing regarding this matter on January 13, 2009 at 8:00 P.M. in the auditorium of the Darien Town Hall. The motion was made by Mr. Spain, seconded by Mr. Hutchison and unanimously approved. With that, the meeting was concluded at 11:15 P.M.

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Respectfully submitted,

David J. Keating
Assistant Director of Planning & Zoning

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